

# House Amendment 1104

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1 1 Amend House File 793 as follows:  
1 2 #1. Page 5, by striking lines 12 through 30.  
1 3 #2. Page 5, by inserting before line 31, the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. Section 49.13, Code 2005, is amended by  
1 6 adding the following new subsection:  
1 7 NEW SUBSECTION. 5. The commissioner may appoint  
1 8 high school students who are not yet qualified to be  
1 9 registered voters to serve as precinct election board  
1 10 members.  
1 11 a. To qualify to serve as a precinct election  
1 12 board member, a high school student shall:  
1 13 (1) Be a United States citizen.  
1 14 (2) Be a junior or senior in good standing  
1 15 enrolled in a public or private secondary school in  
1 16 Iowa.  
1 17 (3) Have a cumulative grade point average  
1 18 equivalent to at least 2.0 on a 4.0 scale.  
1 19 (4) At the time of appointment, have the written  
1 20 approval of the principal of the secondary school the  
1 21 student attends.  
1 22 (5) Have the written approval of the student's  
1 23 parent or legal guardian.  
1 24 (6) Have satisfactorily completed the training  
1 25 course for election officials.  
1 26 (7) Meet all other qualifications for appointment  
1 27 and service as an election board member except the  
1 28 requirement of being a registered voter.  
1 29 b. No more than one student precinct election  
1 30 board member may serve on each precinct election  
1 31 board.  
1 32 c. Student precinct election board members shall  
1 33 not serve as the chairperson of a precinct election  
1 34 board.  
1 35 d. Before serving at a partisan election, the  
1 36 student election precinct board member must certify in  
1 37 writing to the commissioner the political party with  
1 38 which the student is affiliated.  
1 39 e. Student precinct election board members shall  
1 40 not be counted as absent from school on the day they  
1 41 serve as election officials.  
1 42 f. Student precinct election board members shall  
1 43 not be allowed to work more hours than allowed under  
1 44 the applicable labor laws.>  
1 45 #3. Page 6, by inserting after line 16, the  
1 46 following:  
1 47 <Sec. \_\_\_\_\_. Section 49.15, Code 2005, is amended by  
1 48 adding the following new unnumbered paragraph:  
1 49 NEW UNNUMBERED PARAGRAPH. In drawing up precinct  
1 50 election board panels, the commissioner may use  
2 1 student precinct election board members appointed  
2 2 pursuant to section 49.13, subsection 5.>  
2 3 #4. By striking page 7, line 25, through page 8,  
2 4 line 1.  
2 5 #5. By striking page 10, line 35, through page 11,  
2 6 line 1, and inserting the following: <ballots to  
2 7 absent voters as provided by sections 53.8, 53.10, and  
2 8 53.11. The printed ballots shall be subject to the>.  
2 9 #6. Page 11, line 16, by striking the figures  
2 10 <~~53.11~~ 53.10> and inserting the following: <53.10 or  
2 11 53.11>.  
2 12 #7. Page 11, line 25, by striking the figures  
2 13 <~~53.11~~ 53.10> and inserting the following: <53.10 or  
2 14 53.11>.  
2 15 #8. Page 11, line 35, by striking the figures  
2 16 <~~53.11~~ 53.10,> and inserting the following: <53.10 or  
2 17 53.11,>.  
2 18 #9. Page 16, by striking line 4.  
2 19 #10. Page 17, by inserting before line 3, the  
2 20 following:  
2 21 <Sec. \_\_\_\_\_. NEW SECTION. 48A.9A ELECTION DAY  
2 22 REGISTRATION.  
2 23 1. Notwithstanding any other provision to the  
2 24 contrary, an individual who is eligible to vote may

2 25 register on election day by appearing in person at the  
2 26 polling place for the precinct in which the individual  
2 27 maintains residence, by completing a registration  
2 28 application, making an oath in the form prescribed by  
2 29 the secretary of state, and providing proof of  
2 30 residence. An individual may prove residence for  
2 31 purposes of registering by doing any of the following:  
2 32 a. Presenting an Iowa driver's license or Iowa  
2 33 nonoperator's identification card.  
2 34 b. Presenting any document approved by the  
2 35 secretary of state as proper identification.  
2 36 c. Presenting one of the following:  
2 37 (1) A current valid student identification card  
2 38 from a postsecondary educational institution in Iowa,  
2 39 if a list of students from that institution has been  
2 40 prepared and certified to the county auditor in the  
2 41 manner provided in rules of the secretary of state.  
2 42 (2) A current student fee statement that contains  
2 43 the student's valid address in the precinct together  
2 44 with a picture identification card.  
2 45 d. Having a voter who is register to vote in the  
2 46 precinct sign an oath in the presence of the precinct  
2 47 election official vouching that the voter personally  
2 48 knows that the individual is a resident of the  
2 49 precinct. A voter who has been vouched for on  
2 50 election day may not sign a proof of residence oath  
3 1 vouching for any other individual on that election  
3 2 day.  
3 3 2. The precinct election official responsible for  
3 4 election day registration shall initial each completed  
3 5 registration application.  
3 6 3. Registration at the polling place on election  
3 7 day shall be conducted by a precinct election official  
3 8 designated by the commissioner. The precinct election  
3 9 official who registers an individual at the polling  
3 10 place on election day shall not handle that voter's  
3 11 ballots at any time prior to the opening of the ballot  
3 12 box after the voting ends. Registration forms and  
3 13 forms for oaths shall be available at each polling  
3 14 place. If an individual who registers on election day  
3 15 proves residence by oath of a registered voter, the  
3 16 form containing the oath shall be attached to the  
3 17 individual's registration card. Registration cards  
3 18 completed on election day shall be forwarded to the  
3 19 commissioner of registration who shall add the name of  
3 20 each voter to the registration system unless the  
3 21 information forwarded is substantially deficient. A  
3 22 commissioner of registration who finds an election day  
3 23 registration substantially deficient shall give  
3 24 written notice to the individual whose registration is  
3 25 found deficient. An election day registration shall  
3 26 not be found deficient solely because the individual  
3 27 who vouched for proof of residence was ineligible to  
3 28 do so.>

3 29 #11. Page 52, by inserting before line 32, the  
3 30 following:

3 31 <DIVISION \_\_\_\_  
3 32 MAIL BALLOT ELECTIONS  
3 33 Sec. \_\_\_\_ . NEW SECTION. 49B.1 MAIL BALLOT  
3 34 ELECTIONS.  
3 35 A mail ballot election may be conducted in cities  
3 36 with a population of two hundred or less as provided  
3 37 in this chapter.  
3 38 Sec. \_\_\_\_ . NEW SECTION. 49B.2 DEFINITIONS.  
3 39 As used in this chapter, unless the context  
3 40 otherwise requires:  
3 41 1. "Election day" is the date established by law  
3 42 on which a particular election would be held if that  
3 43 election were being conducted by means other than a  
3 44 mail ballot election.  
3 45 2. "Return verification envelope" means an  
3 46 envelope that contains a secrecy envelope and that is  
3 47 designed to allow election officials, upon examination  
3 48 of the outside of the envelope, to determine that the  
3 49 ballot is being submitted by someone who is in fact a  
3 50 registered voter and who has not already voted.  
4 1 3. "Secrecy envelope" means an envelope that is  
4 2 used to contain the elector's ballot and that is  
4 3 designed to conceal the voter's vote and to prevent  
4 4 the voter's ballot from being distinguished from the  
4 5 ballots of other voters.

4 6 Sec. \_\_\_\_ NEW SECTION. 49B.3 MAIL BALLOT  
4 7 ELECTION PROCEDURE.

4 8 The state commissioner of elections shall prescribe  
4 9 uniform procedures and forms to be used in the conduct  
4 10 of mail ballot elections.

4 11 Sec. \_\_\_\_ NEW SECTION. 49B.4 INITIATION BY  
4 12 GOVERNING BODY.

4 13 1. If the city council of a city with a population  
4 14 of two hundred or less determines that it is  
4 15 economically and administratively feasible to conduct  
4 16 the regular city election or a special city election  
4 17 by mail, the city council, by resolution, may require  
4 18 the county commissioner of elections to conduct the  
4 19 election under this chapter by filing the resolution  
4 20 with the county commissioner not later than ninety  
4 21 days before the date of the election.

4 22 2. After the resolution is filed, the county  
4 23 commissioner shall prepare a written plan for  
4 24 conducting the election as provided in section 49B.5.  
4 25 At least seventy-one days before the date set for the  
4 26 election, the county commissioner shall forward a copy  
4 27 of the written plan to the city council concerned.

4 28 Sec. \_\_\_\_ NEW SECTION. 49B.5 WRITTEN PLAN FOR  
4 29 CONDUCTING ELECTION == AMENDMENTS == APPROVAL  
4 30 PROCEDURE.

4 31 1. The county commissioner shall prepare a written  
4 32 plan, including a timetable, for conducting a mail  
4 33 ballot election and shall submit it to the state  
4 34 commissioner of elections at least seventy-one days  
4 35 before the date of the election.

4 36 2. The plan may be amended by the county  
4 37 commissioner any time before the sixty-fourth day  
4 38 before the date of the election by notifying the state  
4 39 commissioner of elections in writing of any changes.

4 40 3. Within five days after receiving the plan, and  
4 41 as soon as possible after receiving any amendments,  
4 42 the state commissioner of elections shall approve,  
4 43 disapprove, or recommend changes to the plan or  
4 44 amendments. The final plan shall be approved and  
4 45 available to the public at least two days before the  
4 46 deadline for candidates to file nomination papers in  
4 47 the office of the city clerk.

4 48 4. When the written plan has been approved, the  
4 49 county commissioner shall proceed to conduct the  
4 50 election according to the approved plan.

5 1 Sec. \_\_\_\_ NEW SECTION. 49B.6 PUBLICATION OF  
5 2 NOTICE.

5 3 The county commissioner shall, not more than ten  
5 4 days and not less than four days before the date that  
5 5 ballots are to be mailed, publish notice that a mail  
5 6 ballot election will be conducted. The notice shall  
5 7 be published in a newspaper of general circulation in  
5 8 each city for which the mail ballot election will be  
5 9 conducted. The notice shall include all of the  
5 10 following information:

5 11 1. The date ballots will be mailed.

5 12 2. The last day that a voter can request an  
5 13 absentee ballot.

5 14 3. Voter registration deadlines.

5 15 4. Location or locations where mail ballots can be  
5 16 deposited pursuant to section 49B.13.

5 17 5. Instructions for obtaining a replacement ballot  
5 18 if a voter's ballot is destroyed, spoiled, lost, or  
5 19 not received pursuant to section 49B.9.

5 20 The county commissioner is not required to publish  
5 21 a sample ballot.

5 22 Sec. \_\_\_\_ NEW SECTION. 49B.7 MAILING BALLOTS.

5 23 1. Official ballots for a mail ballot election  
5 24 shall be prepared and all other initial procedures for  
5 25 elections shall be followed as otherwise provided by  
5 26 law.

5 27 2. The county commissioner of elections shall mail  
5 28 an official ballot to every registered voter of the  
5 29 city conducting the election on a date not sooner than  
5 30 the twentieth day before the date of the election and  
5 31 not later than the tenth day before the date of the  
5 32 election. An exception shall be made for those  
5 33 ballots delivered as prescribed in section 49B.12.

5 34 3. All ballots shall be mailed by first class  
5 35 mail.

5 36 4. Ballots mailed by the county commissioner shall

5 37 be addressed to the address of each voter appearing in  
5 38 the registration records of the city, and placed in an  
5 39 envelope which is prominently marked "Do Not Forward".

5 40 5. The ballot shall contain the following warning:  
5 41 "Any person who, by use of violence, threats of  
5 42 violence, or any means of duress, procures the vote of  
5 43 a voter for or against any measure or candidate is  
5 44 subject, upon conviction, to imprisonment or to a  
5 45 fine, or both."

5 46 Sec. \_\_\_\_\_. NEW SECTION. 49B.8 REGISTRATION.

5 47 The county commissioner shall not mail a ballot  
5 48 under this chapter to any voter not registered thirty  
5 49 days before the date of the election. Voters  
5 50 registered less than thirty days before the date of  
6 1 the election, but before the close of registration,  
6 2 may apply for a ballot under section 49B.9.

6 3 Sec. \_\_\_\_\_. NEW SECTION. 49B.9 REPLACEMENT  
6 4 BALLOTS.

6 5 If the mail ballot is destroyed, spoiled, lost, or  
6 6 not received by the voter, or if the voter was  
6 7 registered less than thirty days before the date of  
6 8 the election but before the close of registration, the  
6 9 voter may obtain a replacement ballot from the county  
6 10 commissioner as provided in this section. A voter  
6 11 seeking a replacement ballot shall sign a statement,  
6 12 on a form prescribed by the state commissioner, that  
6 13 the ballot was destroyed, spoiled, lost, or not  
6 14 received, or that the voter was registered less than  
6 15 thirty days before the date of the election but before  
6 16 the close of registration. The voter or the voter's  
6 17 designee shall deliver the statement to the county  
6 18 commissioner before noon on the date of the election.  
6 19 The voter may mail the statement to the county  
6 20 commissioner. However, a county commissioner shall  
6 21 not transmit a ballot by mail under this section  
6 22 unless the statement is received before five p.m. on  
6 23 the fourth day before the date of the election. When  
6 24 a statement is timely received under this section, the  
6 25 county commissioner shall give the ballot to the voter  
6 26 if the voter is present in the office of the county  
6 27 commissioner, or promptly mail the ballot to the voter  
6 28 at the address contained in the statement, except when  
6 29 prohibited by this section. If the voter is present  
6 30 in the county commissioner's office, the ballot shall  
6 31 be voted at that time. The county commissioner shall  
6 32 keep a record of each replacement ballot provided  
6 33 under this section. If a voter, having received and  
6 34 voted a replacement ballot as provided under this  
6 35 section, later finds the lost ballot, the voter shall  
6 36 return the lost ballot to the county commissioner.

6 37 Sec. \_\_\_\_\_. NEW SECTION. 49B.10 VOTING AND RETURN  
6 38 OF BALLOT.

6 39 1. A registered voter, upon receipt of a mail  
6 40 ballot, shall mark the ballot in such a manner that no  
6 41 other person will know how the ballot is marked and  
6 42 shall place it in the secrecy envelope provided with  
6 43 the ballot.

6 44 A voter who is blind, cannot read, or because of a  
6 45 physical disability is unable to mark the ballot, may  
6 46 be assisted by any person selected by the voter.

6 47 2. The voter shall place the secrecy envelope  
6 48 containing the ballot in the return verification  
6 49 envelope and sign and securely seal the return  
6 50 verification envelope. The sealed return verification  
7 1 envelope shall be returned to the county commissioner  
7 2 by one of the following methods:

7 3 a. The sealed return verification envelope may be  
7 4 delivered by the registered voter or the voter's  
7 5 designee to the county commissioner's office or a  
7 6 place designated by the commissioner no later than the  
7 7 time the polls close on election day.

7 8 b. The sealed return verification envelope may be  
7 9 mailed, postage paid, to the county commissioner. In  
7 10 order for the ballot to be counted, the return  
7 11 verification envelope must be clearly postmarked by an  
7 12 officially authorized postal service not later than  
7 13 the day before the election and received by the county  
7 14 commissioner not later than the time established for  
7 15 the canvass by the board of supervisors for that  
7 16 election. The county commissioner shall contact the  
7 17 post office serving the county commissioner's office

7 18 at the latest practical hour before the canvass by the  
7 19 board of supervisors for that election, and shall  
7 20 arrange for return verification envelopes received in  
7 21 that post office but not yet delivered to the  
7 22 commissioner's office to be brought to the  
7 23 commissioner's office before the canvass for that  
7 24 election by the board of supervisors.

7 25 Sec. \_\_\_\_ NEW SECTION. 49B.11 ABSENTEE BALLOTS.

7 26 1. A registered voter who will be absent from the  
7 27 city during the time when the ballots are mailed may  
7 28 do either of the following:

7 29 a. Vote in person in the county commissioner's  
7 30 office as soon as ballots are available and until noon  
7 31 the day before the ballots are scheduled to be mailed.

7 32 b. Make a written request, signed by the voter and  
7 33 addressed to the county commissioner, that the ballot  
7 34 be mailed to an address other than that which appears  
7 35 on the voter's registration record. Written requests  
7 36 shall be accepted until noon the day before the  
7 37 ballots are scheduled to be mailed.

7 38 2. Ballots mailed to voters pursuant to this  
7 39 section shall be mailed the same day that all other  
7 40 ballots are mailed.

7 41 Sec. \_\_\_\_ NEW SECTION. 49B.12 BALLOTING BY  
7 42 CONFINED PERSONS.

7 43 A person who is a resident or patient in a health  
7 44 care facility or hospital located in the county in  
7 45 which the election is to be held shall not be mailed a  
7 46 ballot but shall have a ballot delivered in the manner  
7 47 prescribed by section 53.22, subsection 1.

7 48 Sec. \_\_\_\_ NEW SECTION. 49B.13 PERSONAL DELIVERY  
7 49 OF MAIL BALLOT == BALLOT DROPOFF STATIONS.

7 50 A ballot dropoff station for the deposit of mail  
8 1 ballots may be established in the city conducting the  
8 2 mail ballot election at the direction of the county  
8 3 commissioner. A ballot dropoff station established at  
8 4 the direction of the commissioner shall be open from  
8 5 eight a.m. until five p.m. on the day of the election.

8 6 Sec. \_\_\_\_ NEW SECTION. 49B.14 RECEIPT OF BALLOT  
8 7 == SIGNATURE VERIFICATION.

8 8 When a mail ballot is returned, the county  
8 9 commissioner, or the county commissioner's designees,  
8 10 shall first examine the return verification envelope  
8 11 to determine whether it was submitted by a registered  
8 12 voter who has not previously voted. A ballot shall be  
8 13 counted only if it is returned in the return  
8 14 verification envelope, the envelope is signed by the  
8 15 voter to whom the ballot is issued, and the signature  
8 16 has been verified as provided in this section.

8 17 The county commissioner or the county  
8 18 commissioner's designees shall verify the signature of  
8 19 each voter on the return verification envelope with  
8 20 the signature in the voter's registration records and  
8 21 may commence verification at any time before election  
8 22 day. If a voter to whom a replacement ballot has been  
8 23 issued under section 49B.9 returns more than one  
8 24 ballot, only the replacement ballot shall be counted.

8 25 If the voter's signature is verified and the ballot  
8 26 is otherwise valid, the county commissioner or the  
8 27 county commissioner's designees shall deposit the  
8 28 ballot unopened in an official ballot box.

8 29 Sec. \_\_\_\_ NEW SECTION. 49B.15 PROCEDURE FOR  
8 30 INVALID BALLOTS.

8 31 If the county commissioner is not convinced that  
8 32 the individual who signed the return verification  
8 33 envelope is the voter whose name appears on the  
8 34 registration card, the county commissioner shall not  
8 35 deposit the ballot in a ballot box but shall do all of  
8 36 the following:

8 37 1. Give notice to the voter as follows:

8 38 a. As soon as possible after receipt of a voter's  
8 39 ballot, give notice to the voter, either by telephone  
8 40 or by first class mail, if the county commissioner is  
8 41 unable to verify the voter's signature.

8 42 b. Inform the voter that the voter may appear in  
8 43 person at the county commissioner's office before the  
8 44 close of the polls on election day and verify the  
8 45 signature.

8 46 2. Permit any voter appearing pursuant to  
8 47 subsection 1, paragraph "b", to:

8 48 a. Verify the voter's signature, after proof of

8 49 identification, by affirming that the signature is in  
8 50 fact the voter's or by completing a new registration  
9 1 card containing the voter's current signature.  
9 2 b. If necessary, request and receive a replacement  
9 3 ballot and vote at that time.  
9 4 3. If the discrepancy is not rectified to the  
9 5 county commissioner's satisfaction, present the  
9 6 unopened envelope and the registration card to the  
9 7 special precinct election board for a determination.  
9 8 If the election board is unable to resolve the issue  
9 9 to its satisfaction, the ballot shall not be counted.  
9 10 Sec. \_\_\_\_ NEW SECTION. 49B.16 COUNTING BALLOTS.  
9 11 Mail ballots shall be counted in the manner  
9 12 prescribed by section 53.23 for absentee ballots. The  
9 13 county commissioner shall supervise the procedures for  
9 14 the handling, counting, and canvassing of ballots to  
9 15 ensure the safety and confidentiality of all ballots.  
9 16 Sec. \_\_\_\_ NEW SECTION. 49B.17 CHALLENGES.  
9 17 Votes cast pursuant to this chapter may be  
9 18 challenged in the manner prescribed by section 53.31  
9 19 for absentee ballots.  
9 20 Sec. \_\_\_\_ NEW SECTION. 49B.18 CANVASS OF VOTES.  
9 21 The provisions of chapter 50 relating to canvass of  
9 22 votes apply to this chapter only to the extent they do  
9 23 not conflict with this chapter.  
9 24 Sec. \_\_\_\_ NEW SECTION. 49B.19 OTHER LAWS.  
9 25 All laws which apply to elections apply to mail  
9 26 ballot elections held under this chapter to the extent  
9 27 applicable.  
9 28 Sec. \_\_\_\_ NEW SECTION. 49B.20 RULES.  
9 29 The state commissioner of elections shall adopt  
9 30 rules pursuant to chapter 17A to govern the procedures  
9 31 and forms necessary to administer this chapter. The  
9 32 authority of the state commissioner to adopt rules  
9 33 under this chapter shall be liberally construed.  
9 34 Sec. \_\_\_\_ NEW SECTION. 49B.21 MISCONDUCT ==  
9 35 VIOLATIONS == PENALTIES.  
9 36 A person who violates or attempts to violate any  
9 37 provision or requirement of this chapter for which a  
9 38 penalty is not otherwise provided under chapter 39A  
9 39 commits a simple misdemeanor.  
9 40 Sec. \_\_\_\_ NEW SECTION. 39.2A MAIL BALLOT  
9 41 ELECTIONS.  
9 42 All mail ballot elections shall be conducted  
9 43 pursuant to chapter 49B.  
9 44 Sec. \_\_\_\_ APPLICABILITY DATE. This division of  
9 45 this Act applies to elections held on or after January  
9 46 1, 2006.  
9 47 DIVISION \_\_\_\_  
9 48 CITIZENS' RIGHT TO VOTE  
9 49 Sec. \_\_\_\_ FINDINGS AND PURPOSE. The general  
9 50 assembly finds that the 2000 general election exposed  
10 1 serious flaws in our nation's voting systems. The  
10 2 pattern of turning away or discouraging voters  
10 3 continued in 2004, due to voter intimidation and  
10 4 suppression tactics as well as communications failures  
10 5 and mistakes.  
10 6 In order to protect the right to vote for all its  
10 7 citizens, the state recognizes the need to criminalize  
10 8 voter intimidation and voter suppression, require a  
10 9 voting bill of rights to be posted at every precinct  
10 10 polling place, and provide precinct election officials  
10 11 with a manual of election procedures to use on  
10 12 election day.  
10 13 Sec. \_\_\_\_ Section 39A.2, subsection 1, paragraph  
10 14 c, Code 2005, is amended by adding the following new  
10 15 subparagraphs:  
10 16 NEW SUBPARAGRAPH. (4) To refrain from registering  
10 17 to vote, voting, or attempting to register to vote.  
10 18 NEW SUBPARAGRAPH. (5) To vote, or to refrain from  
10 19 voting, for any particular candidate or ballot  
10 20 measure.  
10 21 Sec. \_\_\_\_ Section 39A.2, subsection 1, Code 2005,  
10 22 is amended by adding the following new paragraph:  
10 23 NEW PARAGRAPH. f. SUPPRESSION.  
10 24 (1) Challenges a person's right to vote based on  
10 25 knowingly false information.  
10 26 (2) Attempts to induce a person to refrain from  
10 27 registering to vote or from voting by providing that  
10 28 person with knowingly false information.  
10 29 (3) Attempts to induce a person to refrain from

10 30 registering to vote, or to refrain from voting, at the  
10 31 proper place or time by providing that person with  
10 32 knowingly false information about the manner in which  
10 33 an eligible elector may register to vote or about an  
10 34 election.

10 35 Sec. \_\_\_\_\_. Section 47.1, Code 2005, is amended by  
10 36 adding the following new subsection:

10 37 NEW SUBSECTION. 6. The state commissioner shall  
10 38 create a manual of election procedures that provides  
10 39 uniform polling place procedures to guide precinct  
10 40 election officials in the proper implementation of the  
10 41 election laws. The manual shall be indexed by subject  
10 42 and written in clear and unambiguous language. The  
10 43 manual shall provide specific examples of common  
10 44 problems encountered at the polls on election day, and  
10 45 detail specific procedures for resolving those  
10 46 problems. The manual shall include, but not be  
10 47 limited to, the following:

- 10 48 a. Regulations governing solicitation by
- 10 49 individuals and groups at the polling place.
- 10 50 b. Procedures to be followed with respect to
- 11 1 voters whose names are not on the precinct register.
- 11 2 c. Proper operation of the voting system or voting
- 11 3 machine in use at the polling place.
- 11 4 d. Procedures for handling ballots.
- 11 5 e. Procedures governing spoiled ballots.
- 11 6 f. Procedures to be followed after the polls
- 11 7 close.
- 11 8 g. The rights of voters at the polls.
- 11 9 h. Procedures for handling emergency situations.
- 11 10 i. Procedures for handling and processing
- 11 11 provisional ballots.
- 11 12 j. Security procedures.

11 13 The manual shall be adopted by rule pursuant to  
11 14 chapter 17A. The manual shall be revised from time to  
11 15 time as may be necessary and the revisions shall be  
11 16 adopted by rule in the same manner as the original  
11 17 manual.

11 18 The county commissioner of elections shall provide  
11 19 a copy of the manual, in paper or electronic format,  
11 20 to each precinct polling place on election day. The  
11 21 manual may be used to supplement the training manual  
11 22 required by section 49.126 when conducting the  
11 23 training course required by section 49.124.

11 24 Sec. \_\_\_\_\_. Section 49.68, Code 2005, is amended to  
11 25 read as follows:

11 26 49.68 STATE COMMISSIONER TO FURNISH INSTRUCTIONS.

11 27 1. The state commissioner with the approval of the  
11 28 attorney general shall prepare, and from time to time  
11 29 revise, written instructions to the voters relative to  
11 30 voting, and shall furnish each commissioner with  
11 31 copies of the instructions. Such instructions shall  
11 32 cover the following matters:

- 11 33 ~~1-~~ a. The manner of obtaining ballots.
- 11 34 ~~2-~~ b. The manner of marking ballots.
- 11 35 ~~3-~~ c. That unmarked or improperly marked ballots  
11 36 will not be counted.
- 11 37 ~~4-~~ d. The method of gaining assistance in marking  
11 38 ballots.
- 11 39 ~~5-~~ e. That any erasures or identification marks,  
11 40 or otherwise spoiling or defacing a ballot, will  
11 41 render it invalid.
- 11 42 ~~6-~~ f. Not to vote a spoiled or defaced ballot.
- 11 43 ~~7-~~ g. How to obtain a new ballot in place of a  
11 44 spoiled or defaced one.
- 11 45 ~~8-~~ h. Any other matters ~~thought~~ determined  
11 46 necessary.

11 47 2. Another set of instructions, which shall be  
11 48 known as the Iowa voter bill of rights, shall inform  
11 49 the voter as to the following matters:

- 11 50 a. That the voter has the right to inspect a  
12 1 sample ballot before voting.
- 12 2 b. That the voter has the right to cast a ballot  
12 3 if the voter is on the premises of the voter's  
12 4 precinct polling place at the time the polling place  
12 5 is to be closed.
- 12 6 c. That the voter has the right to ask for and  
12 7 receive assistance in voting, including assistance in  
12 8 languages other than English if required by federal or  
12 9 state law.
- 12 10 d. That the voter has the right to return a

12 11 spoiled ballot to the precinct election officials and  
12 12 receive another ballot, but no more than three  
12 13 ballots, including the one first delivered, may be  
12 14 received by the voter.  
12 15 e. That the voter has the right to cast a  
12 16 provisional ballot if the voter's eligibility to vote  
12 17 is in question.  
12 18 f. That the voter has the right to cast a ballot  
12 19 free from coercion or intimidation by any person,  
12 20 including election officials.  
12 21 g. That the voter has the right to cast a ballot  
12 22 using voting equipment that accurately counts all  
12 23 votes properly cast.  
12 24 h. Any other matters determined necessary.  
12 25 3. In any political subdivision or precinct where  
12 26 federal or state law requires the ballot to be made  
12 27 available in a language other than English, the sets  
12 28 of instructions required by this section shall also be  
12 29 made available in such language.  
12 30 Sec. \_\_\_\_ Section 49.70, Code 2005, is amended to  
12 31 read as follows:  
12 32 49.70 PRECINCT ELECTION OFFICIALS FURNISHED  
12 33 INSTRUCTIONS.  
12 34 The commissioner shall cause copies of ~~the~~  
12 35 ~~foregoing each set of instructions described in~~  
12 36 ~~section 49.68~~ to be printed in large, clear type,  
12 37 under the ~~heading~~ headings of "Instructions for  
12 38 ~~Voters~~" Marking Ballots and "Iowa Voter Bill of  
12 39 Rights", and shall furnish the precinct election  
12 40 officials with a sufficient number of such each set of  
12 41 instructions as will enable them to comply with  
12 42 section 49.71.  
12 43 Sec. \_\_\_\_ Section 49.71, Code 2005, is amended to  
12 44 read as follows:  
12 45 49.71 POSTING INSTRUCTION CARDS AND SAMPLE  
12 46 BALLOTS.  
12 47 The precinct election officials, before the opening  
12 48 of the polls, shall cause ~~the each set of~~ instructions  
12 49 ~~for voters~~ required pursuant to section 49.70 to be  
12 50 securely posted as follows:  
13 1 1. One copy of instructions for marking ballots in  
13 2 each voting booth.  
13 3 2. Not less than four copies of each set, with an  
13 4 equal number of sample ballots, in and about the  
13 5 polling place.  
13 6 Sec. \_\_\_\_ IMPLEMENTATION OF DIVISION. Section  
13 7 25B.2, subsection 3, shall not apply to this division  
13 8 of this Act.>  
13 9 #12. Title page 1, by striking lines 5 and 6, and  
13 10 inserting the following: <allowing a county  
13 11 commissioner of elections to appoint certain high  
13 12 school students to serve as precinct election board  
13 13 members, relating to>.  
13 14 #13. Title page 2, by striking lines 6 and 7, and  
13 15 inserting the following: <ballots, defining voter  
13 16 registration list,>.  
13 17 #14. Title page 2, line 8, by inserting before the  
13 18 word <requiring> the following: <allowing voter  
13 19 registration at the polls on election day,>.  
13 20 #15. Title page 2, line 19, by inserting after the  
13 21 word <areas,> the following: <allowing elections in  
13 22 certain cities to be conducted by mail ballots and  
13 23 providing penalties, relating to the right of Iowa's  
13 24 citizens to vote,>.  
13 25 #16. Title page 2, line 20, by inserting after the  
13 26 word <date,> the following: <implementation,>.  
13 27 #17. By renumbering as necessary.  
13 28  
13 29  
13 30  
13 31 JOCHUM of Dubuque  
13 32 HF 793.701 81  
13 33 sc/gg/264